

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 88-472-C - ORDER NO. 91-1155✓  
DECEMBER 30, 1991

IN RE: Petition of AT&T Communications	)	ORDER GRANTING
of the Southern States, Inc. to	)	CLARIFICATION AND
Initiate an Investigation Concerning	)	INITIATING NEW
the Level and Structure of Carrier	)	DOCKET
Common Line Access Charges.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way a Petition for Clarification filed on behalf of AT&T Communications of the Southern States, Inc. (AT&T) whereby AT&T requests that the Commission clarify its Notice of Hearing dated September 10, 1991, and confirm that the December 11, 1991, hearing will only address the disposition of the excess revenues generated by the carrier common line charge (CCLC) between 1988 and 1990; and set a second hearing in this docket to assess the effect of the CCLC capping plan on local exchange companies (LEC's), interexchange carriers (IXC's) and end-users and to consider any proposed changes to the capping plan.

Subsequent to the receipt of the Petition of AT&T, the Commission received a Return filed on behalf of Southern Bell Telephone & Telegraph Company (Southern Bell) to AT&T's Petition for Clarification. Southern Bell stated in its Return that the Petition of AT&T should be denied for the purposes of this docket; that AT&T should file a formal request; and that the Commission

should establish a new docket to consider the impact on the local exchange ratepayer by adjustments to the level of access and compensation paid by IXC's should be addressed in a new docket, upon the filing of an appropriate petition.

In support of AT&T's Petition, AT&T set forth certain provisions of Order No. 89-821, which relates to this proceeding. Relying on its interpretation that the hearing scheduled in this matter would address not only the excess revenues but also the impact of the capping plan on local exchange companies, interexchange carriers and end-users, AT&T served discovery requests upon the local exchange carriers operating in South Carolina. Based upon the same interpretation, AT&T filed testimony that addressed not only how the excess revenues should be dispersed, but also the effectiveness of the capping plan in producing reductions in the CCLC and proposed changes to the plan to better achieve its purpose to reduce the CCLC.

The LEC's filed objections to a number of the AT&T discovery requests on the grounds that they were not relevant to the scope of the hearing scheduled in this matter. Additionally, the LEC's filed testimony limited only to the issue of whether to and/or how to divide the excess revenues produced by the CCLC between 1988 and 1990.

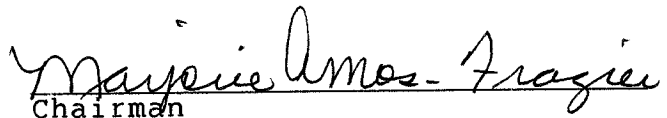
AT&T did not intend to postpone the scheduled hearing for this matter and, therefore, requests the Commission to clarify that the hearing scheduled for this matter will only address what to do with the excess revenues generated by the CCLC between 1988 and 1990.

The Commission has considered AT&T's Petition for Clarification and finds that its intent for the purpose of the proceeding scheduled in this matter is to address at this time only how the excess access revenues will be divided among the LEC's and the IXC's and how the division would be procedurally implemented.

The Commission considers AT&T's Petition for Clarification a formal request for a new proceeding and docket to be established to consider the effects of the CCLC capping plan on the LEC's, the IXC's and the end-users, as well as any changes that any parties would propose to the existing capping plan. The Commission will notify all LEC's and IXC's when this new docket is opened and of the filings required in that matter. The Commission will not, at this time, set a hearing in this new docket but will send out the appropriate notices and the procedure to be followed at the appropriate time.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)